

HOUSE No. 895

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr.,
and others relative to the deliberate spread of contagious diseases.
The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Bradley H. Jones, Jr.	Susan Williams Gifford
Mary S. Rogeness	Robert S. Hargraves
George N. Peterson, Jr.	Karyn E. Polito
John A. Lepper	Paul J.P. Loscocco
Viriato Manuel deMacedo	Shirley Gomes
Elizabeth A. Poirier	Michael J. Coppola
Donald F. Humason, Jr.	Todd M. Smola
Susan W. Pope	Richard J. Ross

In the Year Two Thousand and Five.

AN ACT RELATIVE TO DELIBERATE SPREAD OF CONTAGIOUS DISEASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 265 of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by inserting after section 44
3 the following new section:—
4 Section 45.
5 (a) No person who is or has been afflicted with acquired
6 immunodeficiency syndrome (AIDS), AIDS related complexities
7 (ARC), or other manifestations of human immunodeficiency virus
8 (HIV) infection, so called, shall engage in one or more of the
9 following activities:
10 (1) Knowingly engaging in sexual intercourse without first
11 informing the partner of his infection;
12 (2) Knowingly committing an act of prostitution with another
13 person;
14 (3) Knowingly selling or donating blood, blood products,
15 semen, tissue, organs, and other bodily fluids;

16 (4) Knowingly sharing with another person a hypodermic
17 needle or syringe without first informing the person that the
18 syringe has been used by a person infected with HIV.

19 A violation of this section shall be punished by imprisonment
20 in state prison for a period of no less than five years and nor more
21 than 15 years or by a fine of no less than \$5000 and no more than
22 \$15,000, or both.

23 (b) Any person who is convicted of violating section 22,
24 section 22A, or 23 and is afflicted with AIDS, ARC, or other man-
25 ifestations of HIV infection at the time of the crime may be sub-
26 ject to an increase of five years to the term of imprisonment.